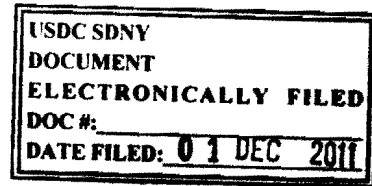


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
:  
HILTON HEAD HOLDINGS b.v., :  
Plaintiff, :  
:  
-v- :  
:  
IAN PECK and ART CAPITAL GROUP, et al., :  
Defendants. :  
:  
-----X

11-CV-7768 (KBF)

NOTICE OF INITIAL  
PRETRIAL  
CONFERENCE

KATHERINE B. FORREST, District Judge:

This case has been reassigned to the undersigned for all purposes. The initial pretrial conference previously scheduled for January 19, 2012 at 9:30 a.m. is rescheduled for January 4, 2012 at 3:30 p.m. in Courtroom 15A, United States District Court, 500 Pearl Street, New York, NY 10007. **Judge McMahon's Order of November 3, 2011 is vacated, and the parties are directed to follow this Court's Individual Practices.** Accordingly,

Counsel are directed to confer with each other prior to the conference and to use this Court's Civil Case Management Plan and Scheduling Order form (the "Form") to jointly prepare a detailed written proposed schedule for any motions and discovery. Counsel should use a copy of the Form available at <http://nysd.uscourts.gov/judge/Forrest>.

The parties shall submit a copy of the completed Case Management Plan and Scheduling Order at least four business days prior to the date of the conference. **Counsel for the plaintiff is also directed to email a copy of the completed Form in Microsoft Word to Chambers at ForrestNYSDChambers@nysd.uscourts.gov.** The conference will occur regardless of the dates the parties propose in their Form.

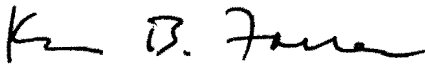
Prior to the date of the conference, the plaintiff shall also submit a letter explaining the basis for the plaintiff's belief that diversity jurisdiction exists in this case, consistent with the Court's Individual Practice 6. Additionally, each party must send the Court one courtesy copy of all of that party's pleadings.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via email to the Orders and Judgment Clerk at the following email address: [orders\\_and\\_judgments@nysd.uscourts.gov](mailto:orders_and_judgments@nysd.uscourts.gov).

All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time. Counsel are directed to appear promptly. Counsel who appear at the initial pretrial conference must also be authorized to bind their clients for all pretrial purposes.

Requests for adjournment may be made only in a writing received not later than two business days before the conference. The written submission must (a) specify the reasons for the adjournment, (b) state whether the other parties have consented, and (c) indicate times and dates on succeeding Fridays when all counsel are available. Unless counsel are notified by this Court that the conference has been adjourned it will be held as scheduled.

Dated: New York, New York  
December 1, 2011

  
\_\_\_\_\_  
KATHERINE B. FORREST  
United States District Judge